

Amendment No. 1 to HB1405

Fowlkes
Signature of Sponsor

AMEND Senate Bill No. 1957

House Bill No. 1405*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-303, is amended by adding the following as a new subsection:

(o)

(1) A probation officer meeting the requirements of this subsection shall have the authority to serve warrants and make arrests solely relating to their duties as probation officers. A probation officer shall also have the authority to bring probationers before the court when directed by the court to do so. While acting in the performance of their duties as probation officers, they shall have the same authority as a peace officer while serving warrants and making arrests that relate solely to their duties as probation officers.

(2) The provisions of subdivision (1) shall only apply to a probation officer:

(A) In a county having a charter form of government;

(B) Employed by a probation office operated by a governmental entity;

(C) Who has completed training equal to the training required by the standards of the peace officer's standards and training commission (POST); and

(D) Who successfully completes at least forty (40) hours of appropriate in-service training each year.

(3) Because a probation officer meets the standards and requirements of subdivision (2), does not mean such officer is eligible for the pay supplement for state certified officers authorized in § 38-8-111.

(4) The provisions of this subsection shall not apply to a state probation officer employed by the board of probation and parole and paid by the state of Tennessee.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it.